

AMENDED IN SENATE AUGUST 15, 2005

AMENDED IN SENATE JUNE 20, 2005

AMENDED IN ASSEMBLY MAY 27, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 696

**Introduced by Assembly Member Chu
(Principal coauthor: Assembly Member Lieber)
(Coauthors: Assembly Members Chan, Dymally, Hancock, Jones,
Koretz, Laird, Leno, Levine, Salinas, Vargas, Wolk, and Yee)
(Coauthors: Senators Chesbro, Kuehl, and Romero)**

February 17, 2005

An act to amend Section 10830 ~~of, to add Sections 18901.55, 18920, and 18926 to, to repeal Sections 11265.2, 11265.3, and 18910 of, and to repeal and add Section 11265.1 of, the~~ *of the* Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 696, as amended, Chu. Public social services: CalWORKs and Food Stamp Program.

~~(1) Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program under which each county provides cash assistance and other benefits to qualified low-income families and individuals. This program is funded in part pursuant to the federal Temporary Assistance for Needy Families Block Grant. Under existing law, the a county is required to make an annual redetermination of eligibility for purposes of CalWORKs benefits, and is additionally required to redetermine recipient eligibility and grant amounts on a quarterly basis.~~

~~This bill would replace the quarterly redetermination requirement with a semiannual redetermination requirement, and would make conforming changes.~~

~~Existing law continuously appropriates moneys from the General Fund to defray a portion of county costs under the CalWORKs program.~~

~~This bill would instead provide that the continuous appropriation would not be made for purposes of implementing the bill.~~

~~(2) Existing~~

~~Existing law requires the department State Department of Social Services and the California Health and Human Services Agency Data Center to design, implement, and maintain a statewide fingerprint imaging system for use in connection with the determination of eligibility for benefits under the CalWORKs program, excluding the Aid to Families with Dependent Children-Foster Care program, and the Food Stamp Program. Existing law, with specified exceptions, requires applicants for, and recipients of, CalWORKs and Food Stamp Program benefits, as a condition of eligibility, to be fingerprint imaged, pursuant to the statewide fingerprint imaging system.~~

~~This bill, instead, would require the department and the Office of Systems Integration to design, implement, and maintain the system. The bill would require the fingerprint imaging system to also apply to use in connection with the determination of eligibility for benefits in conjunction under the Food Stamp Program only to the extent the applicants for, or recipients of, food stamps also apply for or receive designated nonhealth benefits associated with county aid and relief to indigents.~~

~~Existing law, with specified exceptions, requires applicants for, and recipients of, CalWORKs and Food Stamp benefits, as a condition of eligibility, to be fingerprint imaged, pursuant to the statewide fingerprint imaging system.~~

~~This bill would eliminate the requirement that recipients of Food Stamp benefits be fingerprinted as a condition of eligibility. The bill would also provide that a person subject to fingerprinting pursuant to these provisions shall not be photographed as a condition of receiving benefits under the CalWORKs program or the Food Stamp Program. The bill would provide that the effective date and implementation of these changes to existing law may be implemented by all county letters issued within 60 days of the date of adoption.~~

~~(3) Existing law provides for the federal Food Stamp Program, under which each county distributes food stamps provided by the federal government to eligible households.~~

~~Existing law also provides for the Medi-Cal program, which is administered by the State Department of Health Services, pursuant to which medical benefits are provided to public assistance recipients and other low-income persons.~~

~~Under existing law, the State Department of Social Services is required to develop a program of categorical eligibility under the Food Stamp Program for persons receiving certain cash assistance for indigent persons.~~

~~This bill would require the department to establish a similar categorical eligibility program for recipients of benefits under the Medi-Cal program, when those individuals will receive or be authorized to receive TANF-funded benefits or services, that shall include appropriate referral services for eligible individuals.~~

~~This bill would require the department to undertake various actions to improve the Food Stamp Program at the state and county levels with respect to customer service and performance standards, including, among other things, development of mail-in application procedures for the program.~~

~~(4) Existing federal regulations limit participation in the Food Stamp Program for certain participants to 3 months during any 3-year period, unless a designated exemption, waiver, or other exception applies.~~

~~This bill would require the department to seek a waiver from this limitation on participation in the Food Stamp Program. The bill would authorize any county to decline to participate in the waiver upon submitting documentation from its board of supervisors to that effect.~~

~~(5) Because counties administer the CalWORKs program and Food Stamp Program, this bill would increase county duties by potentially extending the period of eligibility for these programs for certain recipients, and would thereby impose a state-mandated local program.~~

~~(6) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,~~

reimbursement for those costs shall be made pursuant to these statutory provisions:

Vote: majority. Appropriation: no. Fiscal committee: yes.
 State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 10830 of the Welfare and Institutions
 2 Code, as added by Section 1.5 of Chapter 206 of the Statutes of
 3 1996, is amended to read:

4 10830. (a) The department and the Office of Systems
 5 Integration shall design, implement, and maintain a statewide
 6 fingerprint imaging system for use in connection with the
 7 determination of eligibility for benefits under ~~the California~~
 8 ~~Work Opportunity and Responsibility to Kids (CalWORKs)~~
 9 ~~program under Chapter 2 (commencing with Section 11200) of~~
 10 ~~Part 3, excluding Aid to Families with Dependent~~
 11 ~~Children-Foster Care (AFDC-FC), and the Food Stamp Program~~
 12 ~~under Chapter 10 (commencing with Section 18900) of Part 6, in~~
 13 ~~conjunction with any nonhealth benefits received under Part 5~~
 14 ~~(commencing with Section 17000). both of the following~~
 15 ~~programs:~~

16 (1) *The California Work Opportunity and Responsibility to*
 17 *Kids (CalWORKs) program, under Chapter 2 (commencing with*
 18 *Section 11200) of Part 3, excluding Aid to Families with*
 19 *Dependent Children-Foster Care (AFDC-FC).*

20 (2) *The Food Stamp Program, under Chapter 10 (commencing*
 21 *with Section 18900) of Part 6, to the extent that applicants for, or*
 22 *recipients of, food stamp benefits also apply for or receive*
 23 *nonhealth benefits under Part 5 (commencing with Section*
 24 *17000).*

25 (b) (1) Every applicant for, or recipient of, aid under Chapter
 26 2 (commencing with Section 11200) of Part 3, excluding the
 27 AFDC-FC program, and *every applicant for, or recipient of, aid*
 28 *under Chapter 10 (commencing with Section 18900) of Part 6, in*
 29 ~~conjunction with any~~ *who is also an applicant for, or recipient*
 30 *of, nonhealth benefits received under Part 5 (commencing with*
 31 *Section 17000), other than dependent children or persons who*
 32 *are physically unable to be fingerprint imaged, shall, as a*

1 condition of eligibility for assistance, be required to be
2 fingerprint imaged.

3 (2) A person subject to the requirements of paragraph (1) shall
4 not be eligible for the CalWORKs program until fingerprint
5 images are provided, except as provided in subdivision (e).
6 Ineligibility may extend to an entire case of any person who
7 refuses to provide fingerprint images.

8 (c) The department may adopt emergency regulations to
9 implement this section specifying the statewide fingerprint
10 imaging requirements and exemptions to the requirements in
11 accordance with the Administrative Procedure Act (Chapter 3.5
12 (commencing with Section 11340) of Part 1 of Division 3 of Title
13 2 of the Government Code). The initial adoption of any
14 emergency regulations implementing this section, as added
15 during the 1996 portion of the 1995–96 Regular Session, shall be
16 deemed to be an emergency and necessary for the immediate
17 preservation of the public peace, health and safety, or general
18 welfare. Emergency regulations adopted pursuant to this
19 subdivision shall remain in effect for no more than 180 days.

20 (d) ~~(1)~~—All persons required to be fingerprint imaged pursuant
21 to this section shall be informed that fingerprint images obtained
22 pursuant to this section shall be used only for the purpose of
23 verifying eligibility and preventing multiple enrollments in the
24 ~~Aid to Families with Dependent Children~~ CalWORKs program.
25 The department, county welfare agencies, and all others shall not
26 use or disclose the data collected and maintained for any purpose
27 other than the prevention or prosecution of fraud. Fingerprint
28 imaging information obtained pursuant to this section shall be
29 confidential under Section 10850.

30 ~~(2) A person subject to the fingerprinting requirement pursuant~~
31 ~~to this section shall not be photographed as a condition of~~
32 ~~receiving benefits under the CalWORKs program or the Food~~
33 ~~Stamp Program under Chapter 10 (commencing with Section~~
34 ~~18900) of Part 6.~~

35 (e) (1) Except as provided in paragraph (2), the fingerprint
36 imaging required under this chapter shall be scheduled only
37 during the application appointment or other regularly scheduled
38 appointments. No other special appointment shall be required.
39 No otherwise eligible individual shall be ineligible to receive
40 benefits under this chapter due to any technical problem

1 occurring in the fingerprint imaging system or as long as the
2 person consents to and is available for fingerprint imaging at a
3 mutually agreed upon time, not later than 60 days from the initial
4 attempt to complete fingerprint imaging.

5 (2) During the first nine months following implementation,
6 recipients may be scheduled for separate appointments to
7 complete the fingerprint imaging required by this section. Notice
8 shall be mailed first class by the department to recipients at least
9 10 days prior to the appointment, and shall include procedures
10 for the recipient to reschedule the scheduled appointment within
11 30 days.

12 (f) If the fingerprint image of an applicant or recipient of aid to
13 which this section applies matches another fingerprint image on
14 file, the county shall notify the applicant or recipient. In the event
15 that a match is appealed, the fingerprint image match shall be
16 verified by a trained individual and any matching case files
17 reviewed prior to the denial of benefits. Upon confirmation that
18 the applicant or recipient is receiving or attempting to receive
19 multiple Aid to Families with Dependent Children program
20 checks, a county fraud investigator shall be notified.

21 ~~(g) The effective date and implementation of the amendments~~
22 ~~to this section enacted in the 2005 portion of the 2005-06~~
23 ~~Regular Session may be implemented by all county letters issued~~
24 ~~within 60 days of the date of adoption.~~

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27 **All matter omitted in this version of the bill**
28 **appears in the bill as amended in the**
29 **Senate, June 20, 2005. (JR11)**
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